

REMARKS

Reconsideration and allowance of the subject application in view of the following remarks is respectfully requested. Entry of this Amendment under Rule 116 is warranted because it raises no new issues, does not amend the claims, and does not require a further search.

Claims 1-20 remain pending in the application.

Claims 1-6 and 11-14 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,855,580 to Van Maanen Jr. Applicant respectfully traverses this rejection.

The claimed invention is directed to a method for integrating digital data, especially for integrating two images into one file. If the OCR program is utilized, the image will be processed into digital data and further to recognize contained text within the image. Once the OCR is done, the digitalized image data and the recognized text are collated into a file for recordation purpose (see page 6, paragraph [0020], lines 19-24 and Figure 2). When the image pickup apparatus is a sheet-fed scanner, the integration of image data and text data is able to process automatically the whole document which contains several pages. The pages can be recorded and integrated in a digital format one page by one page if block 21 (legend 21) detects more un-scanned pages existed (see page 5, paragraph [0019] and also in Figures 1-3).

The claimed invention conducts the data integration by steps of 1) opening a file; 2) picking up the image of a first object by said image pickup apparatus; 3) processing said first image data to provide first digital data and saved to the file; 4) picking up the image of a second object by said (the same) image pickup apparatus; 5) processing said second image data to provide second digital data; 6) processing said second image data to provide second digital data and saved to the same file. Particularly, the image pickup apparatus of claimed invention is the same during the steps. The same image apparatus will acquire images from two objects or from different pages.

However, Van Maanen Jr. is directed to a data merging document processing method which utilizes two data capture devices such as an image camera 12 and a OCR/MICR (Magnetic Ink Character Recognition) reader 14 (see column 2; lines 46-47). The first data capture device acquires the first data (see column 1; lines 47-49). The second data capture device

acquires the second data (see column 1; lines 58-59). After the first data and the second data are captured, calculation for inter-document time stamps are generated (see column 1, lines 54-57 and lines 65-68). The first and the second data will be merged if the time variance signal is within a predetermined range (see column 2, lines 8-10).

Therefore, Van Maanen Jr. utilizes two capture devices and record time stamps for merging purposes. By contrast, the claimed invention utilizes the same image pickup apparatus to acquire the first image and the second image. Besides, the first image and the second image are later processed into the first digital data and the second digital data.

In view of the above discussion, Van Maanen Jr does not teach or disclose the claimed invention. As recited in claim 1, Van Maanen Jr neither teaches or discloses the claimed invention of "...opening a file...picking up the image of a first object by said image pickup apparatus...processing...to provide first digital data...picking up the image of a second object by said image pickup apparatus...processing...to provide second digital data". Claim 1 is not anticipated by Van Maanen Jr , and claim 1 should be allowable.

As recited in claim 11, Van Maanen Jr neither teaches or discloses the claimed invention by the steps of "...opening a file...picking up the image of a first object by said image pickup apparatus picking up the image of a second object by said image pickup apparatus...". Claim 11 is not anticipated by Van Maanen Jr , claim 11 should therefore be allowable.

Claims 2-9 and claim 12-20, dependent on and claims 1 and 11, respectfully are patentable over Van Maanen Jr for the reasons discussed above with respect to claims 1 and 11 as well as on their own merits. Accordingly, the anticipation rejection should be withdrawn.

Claims 7-10 and 15-20 are rejected under 35 USC 103 (a) as being unpatentable over Van Maaned Jr. (U.S. 4,855,580) in view of Schmidt et al (U.S. 5,659,164). Applicant respectfully traverses this rejection.

Schmidt et al does not overcome the deficiencies discussed above with respect to Van Maanen, Jr. Accordingly, the obviousness rejection should be withdrawn.

Early issuance of a Notice of Allowance is courteously solicited. The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in black ink that reads "Kenneth M. Berner". The signature is written in a cursive, flowing style.

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